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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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08/479,999

06/28/1994

CHRISTINE L. BRAKEL

ENZ-47(C)

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06/08/2006

EXAMINER

ENZO BIOCHEM, INC.  
527 MADISON AVENUE (9TH FLOOR)  
NEW YORK, NY 10022

ART UNIT

PAPER NUMBER

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**  
**After the Filing of an Appeal Brief**

Application No.

08/479,999

Examiner

Shubo (Joe) Zhou

Applicant(s)

BRAKEL ET AL.

Art Unit

1631

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 16 February 2006 is acknowledged.

1. ☐ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:
- a. ☐ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).
- b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief. See 37 CFR 41.33(d)(2).
2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☒ The reply is entered. An explanation of the status of the claims after entry is below or attached.
4. ☒ Other:

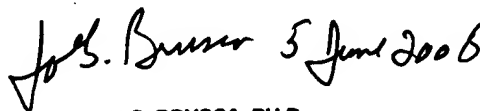
Continuation of Item 3:

The amendment to the claims filed 2/16/06 has been entered. Claims 20, 39, 40, 44 and 49 are pending, and the status of the claims is as follows:

Claims 20 and 40 are allowed as indicated in the Advisory action mailed 12/27/05.

Claim 39 is allowed as the rejection of the claim under 35 USC 112, first paragraph (new matter) set forth in the final rejection mailed 9/26/2000 has been overcome by the amendment.

Claims 44 and 49 remain rejected under 35 USC 102(b) as being anticipated by Miller et al. for reasons set forth in the final rejection mailed 9/26/2000 and in the Advisory action mailed 12/27/05.



JOHN S. BRUSCA, PH.D  
PRIMARY EXAMINER